

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION

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SCOTT WEAVER, Individually and  
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

Case No. 2:18-cv-1996-JPS

CHAMPION PETFOODS USA, INC. and  
CHAMPION PETFOODS LP,

Defendants.

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**DEFENDANTS CHAMPION PETFOODS USA INC.'S AND  
CHAMPION PETFOODS LP'S RENEWED MOTION FOR SUMMARY JUDGMENT  
AS TO PLAINTIFF'S THIRD AMENDED COMPLAINT**

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Pursuant to Fed. R. Civ. P. 56 and Civil L. R. 7 and 56, Defendant Champion Petfoods USA, Inc. and Champion Petfoods LP (collectively, "Champion") hereby moves this Court for summary judgment, because the record in this matter demonstrates that there are no genuine disputes as to any material fact, and thus Champion is entitled to judgment as a matter of law. The bases for this motion are set forth in the accompanying Defendants Champion Petfoods USA Inc.'s and Champion Petfood LP's Memorandum of Law in Support of their Renewed Motion for Summary Judgment as to Plaintiff's Third Amended Complaint, Champion's Statement of Undisputed Material Facts, the Declarations of Gayan Hettiarachchi, Christopher Milam, Chinedu Ogbonna, Richard Raposo, and Dr. Robert H. Poppenga, DVM, PhD, DABVT and the exhibits thereof, the deposition testimony of Plaintiff Scott Weaver, Sean Callan, Kenneth Gilmurray, Erik Flakstad, Dr. Jon Krosnick, Travis Mays, Peter Muhlenfeld, Dr. Gary Pusillo, Jim Wagner, Colin

Weir, and the parties' Joint Stipulated Statement of Material Facts, as well as the file and record in this case and any additional argument the Court may consider.

Dated: February 18, 2020

Respectfully submitted,

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